

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 10187 of 2004

Between:

1 M.K. Exports, Marellavari Street, Bhimavaram, W.G.District, represented by
its Managing Partner-

M. Seshavatram, S/o. Sri M.S.N. Gupta, Aged 28 years.

2 Dhanamjaya Impex Pvt Ltd., Bhimavaram, W.G.District, represented by its
Managing Director-

Sri N. Srinivas, S/o. Venkata Narasimha Raju,
Aged 37 years R/o. Bhimavaram.

3 Swathi Exports, Bhimavaram, W.G.District, Represented by its Managing
Partner-B.Sudhakar, Aged 36 years

4 Ravi & Ravi Fisheries, Bhimavaram, E.G.District, represented by its
Managing Partner-M.S.V.V.Ravi Kumar Raju, S/o. Jamalli Rama Raju, Aged 42
years, R/o. Bhjimavaram, W.G.District.

5 Wisdom Marine Exports, Bhimavaram, W.G.Dist. represented by its
Proprietor-P. Gurusamy, S/o. Ponnaiah, Aged 49 years, R/o Bhimavaram, W.G.Dist.

6 Sri Varalakshmi Exports, Narsapur, W.G.Dist. represented by its Managing
Partner-Sri J. Veera Bhadra Rao, S/o. Manikyam, Aged 54 years, R/o Narasapur,
W.G.Dist.

7 Sri. Chandrakantha Marine Exports, Bhimavaram, W.G.Dist represented by
its Managing Partner-

T.C. Venkateswara Rao, S/o. Prakasa Rao 45 years,

R/o. Bhimavaram E.G.Dist.

8 Reddy & Reddy Exports, Bhimavaram, W.G.Dist represented by its Managing Partner-G. Ramakrishna Reddy,
S/o. Satyanarayana Reddy, Aged 42 years, R/o. Bhimavaram W.G.Dist.

9 Bharathi Marine Exports, Bhimavaram, W.G.Dist, represented by N. Ratnakar, S/o. N. Someswara Rao, aged 35 years, R/o Bhimavaram, W.G.District,.

10 Sri Sai Teja Marine Exports Pvt Ltd., Bhimavara, W.G.District, represented by its Managing Partner-B.V.Ramana
S/o. Laxminarayana Aged 32 years, R/o. Bhimavaram, W.G.Dist.

11 ASR Marine Exports, Bhimavaram, W.G.District, represented by its Partner-A. Raghuram, S/o. Ranga Rao, Aged 35years, R/o Bhimavaram,W.G.District.

12 K.N.R. Marine Exports, Bhimavaram, W.G.District, represented by its Partner-B. Banga Raju, S/o. Viswanatham, Age 52 years, R/o Bhimavaram, W.G.District.

13 Galaxy Maritech Exports Pvt. Ltd., Machilipatnam, Krishna District represented by its Managing Partner-

P.V. Mangapati, Aged 40 years,R/o Machilipatnam.

14 Gayatari Sea Foods, Alapadu, Krishna Dist. represented by its Managing Partner-N.V.R. Mohan Rao,S/o. Ramulu, Aged 42years, R/o Alapadu.

15 Rohi Marine Pvt Ltd., Machilipatna, Krishna Dist., represented by its Managing Director, R. Satyanarayana
S/o. Venkateswara Rao, aged 48 years, R/o Machilipatnam.

16 R.V.R. Marine Products Pvt. Ltd., Bhimavaram, W.G.Dist., represented by its Managing Director, K. Murali, S/o. Venkateswara, aged 29 years, R/o Bhimavaram, W.G.Dist.

17 Raju Exports, Bhimavaram, W.G.Dist., represented by its Managing Partner-R. Rambabu S/o. Sri Ramulu, aged 30 years, R/o Bhimavaram, W.G.dist.

18 Supreme Exports, Elurupadu, W.G.Dist, represented by its Managing Partner-Sanka Hari Chandra Venkata Prasad,
S/o. Sri Rama Murthy , aged 45 years, R/o Elurupadu.

..... PETITIONERS

AND

1 The Marine Products Export Development Authority, Ministry of Commerce & Industry, Govt. of India,
MPEDA House, Panampilly Avenue, P.B.No. 4272 Cochin.

2 The Marine Products Exports Development Authority, Regional Office, 48-7-9, First Floor, Ramataalkies Road, Srinagar Visakhapatnam.

3 The Union of India, represented by its Secretary, Ministry of Commerce, Udyog Bhavan, New Delhi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order direction or writ particularly one in the nature of writ of MANDAMUS or any other appropriate writ declaring that the guidelines issued in proceedings No.3/13/2003 Regn/HO dated 13.04.2004 (Office order part I-No.3/2004) are beyond the jurisdiction of MPEDA and violative of Articles 14, 19 and 21 of the Constitution of India and consequently to issue a writ of Mandamus forbearing the respondents from enforcing the guidelines which are invalid and unconstitutional.

Counsel for the Petitioners: MR.G.VIDYASAGAR

Counsel for Respondents 1 and 2: _____

Counsel for Respondent No.3: MR.A.RAJASHEKAR REDDY (SC FOR CG)

The Court made the following:

ORDER:

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Learned counsel for the petitioners has filed a letter dated 16-08-2004 before the Registry stating that the respondent authorities had considered the representation of the petitioners favourably and issued new guidelines which came into force on 01-08-2004 and in view of the same, sought permission of this Court to withdraw the writ petition.

Permission is accorded and the writ petition is dismissed as withdrawn. No costs.

(A.GOPAL REDDY, J)

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Date: 18-08-2004

ghn/lvl

To

1. The Union of India, represented by its Secretary, Ministry of Commerce, Udyog Bhavan, New Delhi.

2. Two CD copies